IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 7TH NOVEMBER 2007 / 16TH KARTHIKA 1929

Bail Appl..No. 6817 of 2007

(CR. NO. 74/07 OF NOORANAD EXCISE RANGE)
.....

PETITIONER/ACCUSED NO.1:

YESODHARAN, AGED 49 YEARS,
S/O.KUNJUPANICKEN
VALILPADEETTATHIL, PAZHANJOORKONAM MURI,
MAVALIKARA TALUK.

BY ADV. SRI.S.SHANAVAS KHAN.

RESPONDENT/ COMPLAINANT:

THE STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR
HIGH COURT OF KERALA
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 07/11/2007,THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

B.A.No.6817 of 2007

Dated this the 7th day of November 2007

O R D E R

Application for regular bail. The petitioner faces allegations under the Kerala Abkari Act. The petitioner was allegedly found to be in possession of 10 litres of arrack on 16/10/2007. He was arrested and continues in custody from that date. There is one other crime under the Kerala Abkari Act registered against the petitioner, submits the learned Public Prosecutor. The learned Public Prosecutor further submits that in this crime, after the petitioner was taken into custody, an attempt was made by certain miscreants to attack the excise party and get release of the petitioner. Another crime has been registered in respect of that incident.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer on condition that the investigating officer is granted reasonable further time to complete the investigation and I am satisfied that regular bail can be granted to the petitioner subject to appropriate conditions.

3. In the result, this petition is allowed. The petitioner can now be enlarged on bail on the following terms and conditions:

i) The petitioner shall not be released on bail on the strength of this order prior to 17/11/2007. The investigating officer shall, in the meantime, make every endeavour to complete the investigation.

ii) He shall execute a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

iii) The petitioner shall make himself available for interrogation before the investigating officer between 10 a.m and 12 noon on all Mondays and Fridays for a period of two months from the date of his release and thereafter as and when directed by the investigating officer in writing to do so.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007